

**BOROUGH OF DUMONT
BERGEN COUNTY, NEW JERSEY
PUBLIC MEETING MINUTES
APRIL 17, 2012
7:15 PM**

Mayor Kelly called the meeting to order at 7:45PM

Flag Salute; Silent Prayer

Sunshine Law: The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to ***The Record*** and the ***Ridgewood News***, posted on the Borough website and filed with the Borough of Dumont.

Roll Call: Council members Brophy, Carrick, Freeman, Hayes, Stylianou -present
Councilwoman Zamechansky -absent
Mayor Kelly-present

Presentation of Proclamation by Mayor Kelly to the Dumont Bandits-Dumont Roller Hockey Team

Motion to table Resolution #114- Approval of Application for Coin-operated Pool Table at "On the Rocks"-Councilman Carrick

Second: Councilman Stylianou

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

Motion to Accept Agenda as presented with the following exceptions: #12-108 and #12-117 have been moved to the non-consent agenda; #12-114 has been tabled.

Motion: Councilman Hayes

Second: Councilman Carrick

All in favor.

Approval of Minutes:

Motion to approve the March 20, 2012 Executive Meeting and Public meeting minutes:

Councilman Carrick

Second: Councilman Freeman

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

Motion to approve the March 20, 2012 Closed Session minutes: Councilman Stylianou

Second: Councilman Freeman

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

Motion to approve the April 3, 2012 Executive Session minutes: Councilman Stylianou

Second: Councilman Freeman

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

Administrator's Report

The State removed the energy taxes towns would get credit for. The amount Dumont has lost is \$1.2 million. The League of Municipalities, through its Mayors' members, is trying to get this reversed.

A groundbreaking ceremony for the NJEIT II project is scheduled tomorrow at 8:30AM. Tenaflly is building a new police department. They are donating a console to Dumont for use in Fire Company 3.

On Thursday a WPIX film crew is coming to film regarding Autism Week.

Watching a training video "Workplace Harassment, Discrimination and Wrongdoing" has been required of all staff; all employees must sign off on it. The Borough receives credit from JIF for the training.

Back fill has begun on the TwinBoro Field project. Soil testing has been completed and approved.

Mr. Perkins spoke to a representative from a company, Redflex, regarding red lights at intersections. They will do a survey at no cost to the Borough to see if there are any issues. He asked for approval to move forward with this.

The Joint Land Use Board has approved the application from Dumont Terrace Apartments to provide off-street parking for their residents. There will be 23 head-in parking spots on Marion Avenue. The Board is looking for authorization from the Governing Body. There was no objection to him writing the required letter to the Joint Land Use Board.

The Borough received a \$146,500 grant for reconstruction of Depew Street. The complete project would cost almost \$370,000. If the Council wishes to use the grant money only the worst areas would be taken care of. Otherwise, they would have to bond for the full amount. Mr. Perkins would like to discuss this at the next work session.

On Sunday, Earth Day, Cub Scout Pack 131 will be cleaning Brook Street as a community service project. Gloves and bags are being supplied through Clean Communities.

Council Committee Reports

- Councilman Brophy

Shade Tree Commission

The Arbor Day celebration is scheduled for April 28th on West Shore Avenue.

Board of Education

A workshop meeting is scheduled for Thursday and reorganization meeting the end of April.

The Councilman commended the Ambulance Corps and Police Department handling the circumstances this morning during a vehicular accident at the high school.

Councilman Brophy attended the Dumont Elks inauguration ceremony and congratulated George Puccio as incoming exalted ruler and all the other officers.

- Councilman Carrick

Police Department

The Dispatch Center received 2,252 calls in March. Patrol officers assisted the Detective Bureau in investigating thirteen domestic violence incidents. Detective Foti was also assigned to assist the Bergen County Prosecutors office Burglary Task Force on three occasions. The Department exchanges information with the Dumont Board of Education as is required under the Exchange of Information agreement. The Patrol Division issued twelve dark house advisory notices, advising residents of the chances of becoming a victim of burglary.

There will be two scoreboards installed-one on the Major League field and one on the Babe Ruth field. This Saturday is Little League opening day.

The Memorial Day parade is scheduled for May 28th at 9:30AM on Pershing Street. There will first be services at 7:00AM. Following the parade there will be a softball game between the police and fire departments. For each home run hit, \$5.00 will be donated to one of our residents.

- Councilman Freeman

Finance

The Committee continues to work on the budget. The budget is \$63,000 above the cap. They are awaiting answers from several departments and will meet again soon.

- Councilman Hayes

He and Councilwoman Zamechansky attended the grand opening for the new 7-Eleven on Madison Avenue, which took place Saturday.

- Councilman Stylianou

Recreation

The Councilman attended the last two Recreation meetings. Softball and Baseball are in full swing.

There were improvements made to the Little League field.

Library

Installation of new officers for the Board of Trustees took place.

Mayor's Report

For the record, the budget hearing will take place May 1, 2012 at 6:30PM or as soon thereafter as the matter may be heard.

Review of Consent Agenda Items: All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

RESOLUTIONS

#12-72 Appointment of Thomas Ciotti to the Ethics Board *

#12-95 Michael Delonges-Accept as Member of Fire Department Auxiliary (revised) *

#12-103 Approval of Fire Department LOSAP Contributions-\$37,200 *

#12-104 Authorization of Execution of 2012 Agreement with Bergen County Animal Enforcement Inc.-prorated-\$1916.66 per month *

#12-105 Authorization of Execution of 2012 Agreement with Health Awareness Regional Program-\$22,211 *

#12-106 Authorization of Execution of 2012 Agreement with Bergen County Department of Health Services-\$58,270.60 *

#12-107 White Beeches Force Main Upgrade Project Change Order #3-New Rubberized Extension Cord-not to exceed \$3,930 *

#12-109 Bills List *

#12-110 Authorization of Execution of Emergency Services Notification Agreement *

#12-111 Approval of Farmers Market to be held Saturdays May-October *

#12-112 Chris Martin, Esq.-Appointment as Alternate Prosecutor for 2012 *

#12-113 Nina Remson, Esq.-Appointment as Alternate Public Defender for 2012 *

#12-114 Approval of Application for Coin-operated Pool Table at "On the Rocks"-Tabled

#12-115 Appointment of Nancy Wienberg, RN to the Board of Health *

#12-116 Authorization to Issue Checks for Recreation Umpires Upon Receipt *

#12-118 Approval of St. Mary's On-premise 50/50 Cash Raffle to be held June 6-June 9, 2012; ID #109-1-471, RL#363 *

#12-119 Approval of St. Mary's Off-premise 50/50 Cash Raffle to be held June 6-June 9, 2012;

ID #109-1-471, RL#364 *

#12-120 Approval of St. Mary's Carnival License to be held June 6-June 9, 2012;

ID #109-1-471, RL#365 *

#12-121 Resolution Honoring the Memory of Staff Sgt. Oscar Canon *

#12-122 Authorization of Execution of Contract for Landscape Services on Bank-owned and Abandoned Properties *

Councilman Stylianou commented that Chris Martin currently holds the position of Alternate Prosecutor in Dumont. The feedback he has received is that he is doing an excellent job. Nina Remson is on the agenda for appointment as Alternate Public Defender. He reviewed her resume and feels she is very qualified. She will be a good addition to the court staff here.

Councilman Carrick said that he had asked the engineer to see if a better price could be arrived at for the extension cord (resolution #107).

Motion to adopt consent agenda: Councilman Carrick

Second: Councilman Freeman

Motion to open to the public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

1. Kai Chen, 90 Teak Road, asked the rationale for maintaining bank-owned properties and asked if there was a risk to the town.

Mr. Paster explained the amount is applied to the tax lien and the town would be the first to receive money. The landscaper has agreed to wait for the payment.

Councilman Stylianou stated that the tax lien encumbers the title so even if the house were to be demolished it would not affect the town receiving payment.

Motion to close: Councilman Carrick

Second: Councilman Stylianou

Roll call vote: Council members Brophy, Carrick, Freeman Hayes, Stylianou-yes

Non-consent Agenda

#12-108 T&M Associates-Appointment as Borough Engineer for 2012

Councilman Stylianou stated that there were three engineers being considered for this position. This Governing Body had a rocky beginning in January but has gotten along very well since then. This appointment is just something the Council cannot agree on. It is important to make a decision since it is April and they have not been able to make the appointment of Borough Engineer.

Councilman Carrick agreed.

Motion to adopt: Councilman Stylianou

Second: Councilman Carrick

Motion to open to the public: Councilman Stylianou

Second: Councilman Carrick

Motion to close: Councilman Brophy

Second: Councilman Freeman

Roll call vote: Council members Carrick and Stylianou-yes

Council members Brophy, Freeman, Hayes-no

Motion failed.

#12-117 NJEIT Phase II-Authorization of T&M for Additional Easement and Construction Administration Services-not to exceed \$89,500

Motion to open to the public: Councilman Carrick

Second: Councilman Brophy

All in favor.

1. Elizabeth Marchese, 235 Larch Avenue, asked for an explanation as to how they can approve additional money for T&M for a project when they don't trust them enough to reappoint them.

Councilman Stylianou explained that T&M has been the engineer and has been involved with this NJEIT II project. They were just voted down as Borough engineer for 2012. The failure to appoint T&M tonight results in them being held as a carryover. He is extremely frustrated.

Councilman Brophy asked whether all three engineers could be posted at once. The attorney responded that theoretically it could be done but there would need to be a vote of four if there are seven members present.

Councilman Carrick asked if T&M could be put back on the agenda next month since the full Council is not present tonight. Mr. Paster said that the Mayor would direct the Municipal Clerk as to the appointment to be put on the agenda.

2. Dominic Carrino, T&M Associates, stated that he is the face of T&M. It has been his privilege to serve Dumont for seven years. He has tried to earn the new council members' trust. He has always treated the residents with respect and has tried to represent the Mayor and Council to the best of his ability. He is respectful, listens to residents and is responsive. He is proud of the work he has done here. He will continue to get to know the new council members. He will always address everything as soon as possible.

3. Frank Lopez, 190 Magnolia, asked the names of the other two firms considered for appointment as Borough engineer.

Mayor Kelly responded that it was Boswell and Brooker Engineering.

Mr. Perkins commented that we are almost into May. We do not have any major projects in the immediate future. We have the Roosevelt drainage project, which T&M has begun work on and the Depew Street project, which T&M assisted in obtaining the grant for. He stated that Dominic and his staff come to Borough Hall weekly and meet with him, the Municipal Clerk, the Building Department and the DPW and any residents who have issues for a flat rate of \$1,000 per month. He would like the Council to consider the fact that if another engineer is appointed, they would have to learn the entire town and who may not get a project anyway.

4. Elizabeth Marchese, 235 Larch Avenue, pointed out that years ago the Planning Board changed from T&M to another engineer because they wanted to have a check and balance between their board and the Council. She said that Boswell was appointed by the Joint Land Use Board this year so, although she is not pitching for T&M, she feels that this would add a layer of protection for the town.

5. Kai Chen, 90 Teak Road, said that oversight is an extremely important function of the engineer. The Council has to trust the engineer.

Motion to close: Councilman Stylianou

Second: Councilman Freeman

All in favor.

Councilman Hayes suggested that there should be a special meeting to go through the budget line by line with residents.

Councilman Hayes stated that he has no problem with T&M's work. They have been here seven years. Sometimes a new set of eyes is good.

Motion to adopt: Councilman Carrick
Second: Councilman Stylianou
Roll call vote: Council members Carrick, Hayes, Stylianou-yes
Council members Brophy and Freeman-abstained
Motion carried.

Councilman Stylianou remarked that the two abstentions are from councilmen who live in Phase II so it could be perceived that they would directly benefit from the resolution. Therefore, they abstained.

ORDINANCES

Second Reading

#1440 Ordinance to Exceed Municipal Budget Appropriation Limit and Establish Cap Bank

Motion to waive formal reading: Councilman Carrick

Second: Councilman Freeman

All in favor.

Motion to open to the public: Councilman Stylianou

Second: Councilman Freeman

All in favor.

1. Elizabeth Marchese, 235 Larch Avenue, asked for an explanation of this ordinance.

Terrie Giotis, CFO, explained that no money is collected or spent. Mr. Paster said it is simply an on-paper transaction.

Motion to close to the public: Councilman Carrick

Second: Councilman Stylianou

All in favor.

Motion to adopt on second reading: Councilman Stylianou

Second: Councilman Freeman

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

#1441 Ordinance Vacating Certain Properties on New Milford and Virginia Avenues

Motion to waive formal reading: Councilman Hayes

Second: Councilman Freeman

All in favor.

Mr. Paster explained that this is the last detail from the St. Mary's intersection. The County discontinued a portion of the road bed and now there is extra property that is not needed. This ordinance vacates the town's rights to it and deeds the property to the adjoining property owner. It is a statutory requirement and has to be recorded at the County Clerk's office.

Motion to open to the public: Councilman Carrick

Second: Councilman Freeman

All in favor.

Motion to close: Councilman Carrick

Second: Councilman Brophy

All in favor.

Motion to adopt: Councilman Stylianou

Second: Councilman Brophy

Roll call vote: Council members Brophy, Carrick, Freeman, Hayes, Stylianou-yes

Motion to open to the public for general comment: Councilman Carrick

Second: Councilman Freeman

All in favor.

1. Carey Stopsky, 48 E. Quackenbush, stated that there is dirt and rocks piled on his wall by the brook. He is afraid he will have a problem with flooding if it rains. Also, the road near his house seems to be sinking.

Mr. Carrino will look at it tomorrow.

2. Elizabeth Marchese, 235 Larch Avenue, referred to Councilman Hayes' suggestion to go line by line through the budget with residents. She thinks it would be great for the residents to be able to look at the budget. She also thinks the Farmers' Market is a great idea.

Councilman Brophy asked that Dominic check other streets in town that might have the same problem Mr. Stopsky had.

Councilman Stylianou stated that the finance committee has met many times to go line by line. It would take too long to review line by line with residents. The budget is on the website and available for residents. If they have any questions about a line item, they should then contact the finance committee.

Motion to close to the public: Councilman Carrick

Second: Councilman Freeman

Motion to go back into closed session: Councilman Carrick

Second: Councilman Stylianou.

All in favor.

Closed Session

Motion to go back into public: Councilman Carrick

Second: Councilman Freeman

All in favor.

Motion to adjourn: Councilman Carrick

Second: Councilman Freeman

All in favor.

Meeting adjourned at 9:50PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk